

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

H. LUNDBECK A/S, TAKEDA)	
PHARMACEUTICAL COMPANY LTD.,)	
TAKEDA PHARMACEUTICALS U.S.A.,)	
INC., TAKEDA PHARMACEUTICALS)	
INTERNATIONAL AG and TAKEDA)	
PHARMACEUTICALS AMERICA, INC.,)	
)	
Plaintiffs,)	
)	C.A. No. 18-88 (LPS)
v.)	CONSOLIDATED
)	
APOTEX INC., et al.,)	
)	
Defendants.)	

**JOINT STIPULATION AND [PROPOSED] ORDER
CONCERNING AUTHENTICITY OF EVIDENCE**

WHEREAS Plaintiffs H. Lundbeck A/S, Takeda Pharmaceutical Company Ltd., Takeda Pharmaceuticals U.S.A., Inc., Takeda Pharmaceuticals International AG, and Takeda Pharmaceuticals America, Inc. (collectively, "Plaintiffs") filed a Notice of Deposition Pursuant to Fed. R. Civ. P. 30(b)(6) ("30(b)(6) Notice") (D.I. 449) directing Defendants Princeton Pharmaceutical Inc. ("Princeton") and Zhejiang Huahai Pharmaceutical Co., Ltd., Inc. ("Huahai") (collectively, "Princeton Defendants") to designate a witness on each of 50 topics;

WHEREAS Plaintiffs agreed to forego a 30(b)(6) deposition on the noticed topics, if the Princeton Defendants agreed to stipulate to the authenticity of the documents listed below;

IT IS HEREBY STIPULATED AND AGREED by the undersigned counsel for Plaintiffs and the Princeton Defendants, subject to the approval of the Court, that the following documents are authenticated under Fed. R. Evid. 901(a), (b)(1) and that no additional foundation need be laid for the following documents to be authentic:

- a) any document produced by any Princeton Defendant that bears any Princeton Defendant's letterhead, copyright with the producing party's name, and/or corporate logo;
- b) any document or file produced by any Princeton Defendant that lists a current or former employee of any Princeton Defendant as an author or custodian;
- c) any legible U.S. or foreign patent, patent application, patent office publication, or file history produced by any Princeton Defendant;
- d) any document produced by any Princeton Defendant that is part of a New Drug Application, Abbreviated New Drug Application, or Drug Master File;
- e) any correspondence with FDA produced by any Princeton Defendant;
- f) any patent license or assignment agreement involving any Princeton Defendant produced by any Princeton Defendant;
- g) any email produced by any Princeton Defendant that on its face lists an employee, officer, or agent of any Princeton Defendant as a sender of the email.

IT IS FURTHER STIPULATED AND AGREED that the following documents are business records under Fed. R. Evid. 803(6) and that no additional foundation need be laid so that the following documents fall under this exception to the rule against hearsay:

- a) any document produced by any Princeton Defendant that is part of a New Drug Application, Abbreviated New Drug Application, or Drug Master File;
- b) any correspondence with FDA produced by any Princeton Defendant;
- c) any patent license or assignment agreement involving any Princeton Defendant produced by any Princeton Defendant.

IT IS FURTHER AGREED that these Stipulations regarding the above-referenced documents are only applicable to this proceeding, and may not be used in any other litigation against any party.

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February 11, 2020

SO ORDERED this _____ day of February, 2020.

CHIEF JUDGE LEONARD P. STARK